

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT G. WYCKOFF,)	
)	
Plaintiff,)	
)	
-VS-)	
)	Civil Action No. 00-2248
)	
METROPOLITAN LIFE INSURANCE COMPANY)	
and KENNETH F. KACZMAREK,)	
)	
Defendants.)	

AMBROSE, Chief District Judge.

OPINION and ORDER OF COURT

_____Defendants Metropolitan Life Insurance Company and Kenneth F. Kaczmarek (collectively referred to as "MetLife") have filed a Motion in Limine to Exclude Evidence of MetLife's Financial Condition, Net Worth and Wealth. See Docket No. 95. MetLife urges that evidence of its financial condition, net worth and wealth, and in particular two exhibits which detail its net worth, are irrelevant to the issues in this case and would serve only to prejudice MetLife if admitted.

I disagree. Contrary to MetLife's argument, the Supreme Court's decision in State Farm Automobile Insurance Company v. Campbell, 538 U.S. 408, 123 S. Ct. 1513 (2003) cannot be understood as declaring evidence of a defendant's net worth entirely irrelevant to the issue of punitive damages. Indeed, the Supreme Court stated:

[w]ealth provides an open-ended basis for inflating awards when the defendant is wealthy... . **That does not make**

its use unlawful or inappropriate; it simply means that this factor cannot make up for the failure of other factors, such as 'reprehensibility,' to constrain significantly an award that purports to punish a defendant's conduct.

State Farm, 123 S. Ct. at 1525 (citations omitted) (emphasis added). Consequently, because I find that evidence of MetLife's financial condition, net worth and wealth are relevant to the issue of punitive damages, see TVT Records v. The Island Def Jam Music Group, 257 F. Supp.2d 737, 745-46 (S.D. N.Y. 2003) (denying motion to exclude evidence of net worth) and Miller ex rel Miller v. Ford Motor Co., Civ. No. 1-545, 2004 WL 4054843 at * 13 (M.D. Pa. July 22, 2004) (same), therefore, this **26th** day of October, 2006, it is Ordered that the Motion (Docket No. 95) is DENIED.

BY THE COURT:

/S/ Donetta W. Ambrose

Donetta W. Ambrose,
Chief U.S. District Judge